REMARKS

In accordance with the foregoing, claims 1, 7, and 12 have been amended. Claims 1-3, 5, 7-9, 11-14 and 16-18 are pending and under consideration.

In the Office Action, the Examiner has rejected claims 1-3, 5, 7-9, 11-14 and 16-17 under 35 U.S.C. § 103(a) as being unpatentable over an article entitled, "Robo-shopper Cuts out Trip to Supermarket," by Julian Ryall Tokyo (hereinafter Robo) in view of Zweig.

Robo is directed to a humanoid robot able to walk up and down shopping aisles. In particular, according to the disclosure of Robo, customers can contact a shop by the Internet or a telephone and specify a grocery list of items to be purchased from the shop. The list of items can be entered into the robot's memory. After the list is entered, a radio signal from a shelf on which a particular listed item is stored then orders the robot to select the chosen item. *See* Robo, page 1, Abstract (Document Summary). According to Robo, in the future, such a robot will also be equipped with video cameras to allow window-shopping without requiring one to leave his or her home. *See* Robo, page 2, paragraph immediately preceding the last paragraph.

Zweig is directed to a computerized mobile robot with an onboard internet web server and a capability of establishing a connection to a remote web browser on the Internet for robotic control. According to Zweig, a remote user on the Internet may direct the robot to move within a range of the external devices and send and receive commands to/from the external devices, which are digital-radio equipped. *See* Zweig, column 10, lines 13-22.

The present invention is directed to technology for selling or purchasing merchandise via a network. The invention can include a user terminal, an intermediation server and a shop server. *See* Fig. 1. As defined by independent claims 1, 7 and 12, if instruction information regarding moving an item, for example, an instruction regarding turning the item over, up, down, turning over right and left, zooming, etc., is received from a user terminal, a first request acquiring image information according to the "moving" of the item is outputted to a photographic apparatus. *See* Specification, page 4, lines 18-25. For example, if an instruction is received from a user terminal indicating that an item should be turned up, a photographing request indicating that an image should be acquired of the item in its upright position is output to the photographic apparatus.

Applicants submit that the references do not teach or suggest outputting to a robot, a first request for acquiring image information according to moving of the selected article. For example, according to Robo, and as admitted by the Examiner, Robo provides a mere statement

that a robot will be equipped with video cameras. No information is provided regarding details of how video would be obtained. For example, the video cameras may merely record the items as they appear on the shelf, as opposed to how they appear in response to having been manipulated (for example, turned over) according to a received instruction.

Zweig also does not teach or suggest the above-identified feature. Zweig is silent as to providing images of items in response to the item having been moved according to a received instruction. In fact, one of the sections cited by the Examiner, column 3, lines 19-22 of Zweig, indicates that the robot has no arms or actuators and merely serves as a training device. Thus, it follows that such a robot cannot provide images in response to an item having been turned over, for example. The other section of Zweig cited by the Examiner, that is, column 4, lines 30-31 simply indicates that the robot can interact with specially modified, robotic cooperative appliances. No information is provided or suggested regarding outputting a first request for acquiring image information according to moving an item if instruction information is received regarding moving the item.

In light of the foregoing, Applicants submit that independent claims 1, 7 and 12 are patentable over the references, as neither Robo nor Zweig, taken individually or in combination, teaches or suggests the above-identified feature of the claims. As claims 2, 3, 5, 8, 9, 11, 13, 14, 16 and 17 depend from respective independent claims, these claims are also patentable over the references.

The Examiner has also rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Robo and Zweig as applied to claim 1, and further in view of Van Kommer. According to the invention as defined by claim 18, an instruction to obtain voice information within a shop is outputted to the robot if a voice request is received. The voice information obtained by the robot from the shop is then transmitted to a user terminal in real time. *See* Specification, page 23, last paragraph.

Applicants respectfully submit that none of the references, taken alone, or in combination, teaches or suggests the feature of the present invention in which voice information obtained by a robot is transmitted to a user terminal in real time.

According to Robo, it is directed to a robot that can walk up and down a shopping aisle. The robot is simply provided with a list of items to retrieve. The robot then retrieves the items. Robo does not provide or suggest, transmitting to a user terminal, obtained voice information to enable the user of a user terminal to represent an actual state within the real shop in real time. Rather, in Robo, after a user telephones a store with a grocery list, the list of items is simply

entered into the robot's memory to retrieve the specified items. Robo does not disclose information regarding the feature of the present invention in which voice information obtained by a robot is transmitted to a user terminal in real time.

Likewise, Zweig does not disclose the above-identified feature. The robot of Zweig can establish a connection to a remote web browser on the Internet for robotic control purposes. But Zweig does not disclose or suggest transmitting to a user terminal, obtained voice information, as in the present invention. In fact, in Zweig, no information is transmitted to a user terminal. Zweig clearly states that the RCS software passes information as to results of movement of the robot to the *server*. *See* Zweig, column 10, lines 59-62.

According to Van Kommer, it is directed to a mobile robot including a microphone. According to Van Kommer, the microphone is connected to a voice analysis module and enables a human operator within "earshot" of the mobile robot to control movement of the robot through voice commands. Van Kommer is completely silent as to providing information regarding transmitting to a user terminal obtained voice information to enable the user of the user terminal to experience a shop environment in real-time. In fact, Van Kommer offers no disclosure or suggestion of transmitting information to a user terminal, period.

In addition, none of the three references offers disclosure or suggestion regarding transmitting voice information *in real time*, as in the present invention. In light of the foregoing, the present invention, as defined by claim 18, is patentable over Robo and Zweig, in view of Van Kommer, as none of the references, taken alone or in combination, teaches or suggests the above-identified features of the claims.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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